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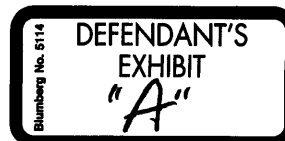
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November 16, 2006

Charles N. Parnell, III
Parnell & Crum, P.A.
641 South Lawrence Street
Montgomery, Alabama 36104



Re: Frontier National Bank v. R & L Trucking Company, Inc., et al.
In the United States District Court, Middle District of Alabama
Case Number 3:05-CV-901-WKW

Dear Nick:

I received the Court's Order dated the 13th day of October, 2006 requiring a jointly prepared report on the status of this case. The Order states that the first report is due to be filed on or before October 20, 2006. For some reason I did not receive the Court's Order until after that date had run. The Order further requires a jointly prepared report to be filed on the first Tuesday of every month thereafter until such time the parties jointly stipulate that this action can be dismissed.

As previously conveyed, R & L Trucking Co., Inc. remains prepared to submit the matter to arbitration. However, as you can imagine, R & L Trucking Co., Inc. is out of business and has no funds whatsoever. Accordingly, R & L Trucking Co., Inc. cannot contribute towards the cost of any arbitration.

Frontier Bank is the Plaintiff in this action. R & L Trucking Co., Inc., together with the other Defendants, have not filed any type of counter claim. The Defendants do not object to a dismissal of this action with prejudice or without.

Please get back in touch with me concerning the preparation of jointly prepared status reports as required by the Court's Order.

I look forward to hearing from you at your very earliest opportunity.

Sincerely,

WHITTELSEY, WHITTELSEY & POOLE, P.C.

Davis B. Whittelsey
DBW/jmk